

**REMARKS**

In accordance with the foregoing, the specification and claims 1, 4 and 33 have been amended. Claims 1-33 are pending and under consideration. No new matter is included in this Amendment.

**The First 35 U.S.C. §102(e) Rejection:**

The specification is amended at paragraph [0034] to remove an extraneous bracket and at paragraphs [0038] and [0039] to correctly reference the drawings in the specification.

**The First 35 U.S.C. §102(e) Rejection:**

At page 2 of the Office Action, claims 1, 10-14, and 20-22 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,226,257 to Morimoto.

Claim 1 has been amended as set forth above to distinguish the present invention from Morimoto. Morimoto fails to disclose a header area in which header information is recorded as a multi-modulated signal.

Claims 10, 12 and 13 are deemed to be patentable at least for similar reasons set forth above regarding claim 1.

Regarding claim 11, which recites "wherein the header signal has a frequency higher than the single frequency of the wobble signal," the Examiner refers to FIG. 7 of Morimoto and asserts that this is an "an inherent feature where header has a higher recording density." FIG. 7 of Morimoto illustrates a header area having phase pits 80 and 82. No mention is made of any relationship between a frequency of these pits in relation to a frequency of a wobble signal. Regarding the Examiner's assertion of inherency, the Examiner is respectfully requested to either provide some clarification of the meaning of such a statement statement, provide a reference explaining the Examiner's position, or withdraw the rejection of claim 11.

Claim 14 has been amended as set forth above. Morimoto fails to disclose "generating a multi-modulated header signal corresponding to the header information," as claimed in claim 14.

Claims 20 and 22 are deemed to be patentable at least for similar reasons set forth above regarding claim 14. Claim 21 is deemed to be patentable at least for similar reasons set forth above regarding claims 14 and claim 11.

**The Second 35 U.S.C. §102(e) Rejection:**

At page 3 of the Office Action, claim 23 is rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,226,257 to Morimoto. This rejection is respectfully traversed. The portions of Morimoto to which the Examiner refers do not mention a "multi-modulator multi-modulating header information to generate a header signal," as claimed in claim 23.

**The 35 U.S.C. §102(b) Rejection:**

At page 4 of the Office Action, claims 29, 31 and 33 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,933,410 to Nakane et al. We have argued that the PID1-PID4 mentioned by the Examiner are not examples of demodulating multi-modulated header but merely variants of the same type of modulation and not first and second types of demodulation as claimed in claim 29. Further, in FIG. 9, only one address demodulator 129 is shown and no mention is made that demodulator 129 performs more than one type of demodulation.

Claims 31 and 33 are deemed to be patentable at least for the reasons set forth above regarding claim 29.

**The 35 U.S.C. §103(a) Rejection:**

At page 7 of the Office Action, claims 7-9 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,226,257 to Morimoto in view of U.S. Patent 5,754,506 to Nagasawa et al. Claims 7-9 are deemed to be patentable at least for similar reasons set forth above regarding claim 1.

**Allowable Subject Matter:**

At page 9 of the Office Action, the Examiner indicates that claim 30 is allowable and that claims 2-6, 15-19, 24-28 and 32 are objected to as being dependent on a rejected base claim but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

**Conclusion:**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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